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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91186148
Party	Defendant The Great Atlantic & Pacific Tea Company, Inc.
Correspondence Address	ARLANA S COHEN COWAN LIEBOWITZ & LATMAN PC 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036-6710 UNITED STATES asc@cll.com, mgg@cll.com, trademark@cll.com, sbi@cll.com, jaj@cll.com, rje@cll.com, spc@cll.com
Submission	Testimony For Defendant
Filer's Name	Arlana S. Cohen
Filer's e-mail	asc@cll.com
Signature	/Arlana S. Cohen/
Date	05/14/2014
Attachments	Curran Notice of Filing Trial Testimony (Non-Confidential) Part 4 of 4.pdf(3067875 bytes)

PUBLIX v. THE GREAT ATLANTIC &
PACIFIC TEA COMPANY
Opp. No. 91186148 and Opp. No. 91186863

MULTIGRAIN SWEET POTATO — CHIPS—

Green Gíant

Sea Saft

A&P 002552

NET WT 5 0Z (141g)

PER 1 OUNCE

140
0.5
80mg
3
BALDRIES
BALDRIES
BALDRIES

A&P 002552



APPLICANT'S EXHIBIT PUBLIX v. THE GREAT ATLANTIC & PACIFIC TEA COMPANY Opp. No. 91186148 and Opp. No. 91186863

11/9/12

Safeway - Bright Green About

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- About Bright Green
- **▶** Cleaning
- **▶** Laundry
- ► Light Bulbs
- ▶ Paper



Introducing Bright Green™

Together we can make a difference.

Everyday we make choices that impact the health of our planet, and while no one person can do it alone, together our small individual acts can add up to a big difference. Working together, we can contribute to a cleaner and healthler community - and planet. We want to make it easy for you to 'choose green' when you shop. That's why we've developed Bright Green™ – an extensive line of home care products.

A partnership for the planet

We developed Bright Green™ in partnership with Scientific Certification Systems (SCS), a leading third-party provider of certification, auditing and testing services and standards in environmental protection and social responsibility. SCS reviewed each Bright Greenth product for naturally derived and biodegradable ingredients, post-consumer recycled content and energy efficiency.

A wide range of choices

Bright Green™ is unique in its breadth, convenience and affordability. We offer more than 20 choices to meet all of your household needs. And, they're available at a price that is comparable with leading national brands in these categories.

The Bright Green™ line of products features:

- Cleaning and laundry products made with naturally derived and biodegradable Ingredients.
- Paper products whitened without the use of harmful elemental chlorine and made from 100% recycled fibers.
- High-efficiency light bulbs that save electricity while lasting 13x longer than ordinary bulbs.

Our promise to you

We understand that what is green today may not be green tomorrow. So we're committed to introduce easy, affordable ways we can all work together to make a difference.

So on your next shopping trip, consider Bright Green, It's a simple way to take care of

Safeway - Bright Green About

your home, community, and our planet.

Think Bright Green™

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Frequently Asked Questions



Where are Bright Green products sold? Are these "natural" products?

Are all of these products certified as environmentally friendly?

How do I know the products are 100% green?

Is the packaging recyclable or biodegradable?

How are Bright Green cleaners different from other green cleaners? How are Bright Green paper products different from other paper products?

Are the products transported by better-for-the-environmental methods?

Where are Bright Green products sold?

Bright Green is sold exclusively at Safeway and its family of companies. Shoppers will find Bright Green products in the household products alsies alongside other branded products. They will not be in a special section or area of the store.

Back to Top

Are these "natural" products?

We use naturally-derived and biodegradable ingredients whenever possible without compromising the efficacy or environmental impact of the product. If a natural option is not available we look for the best way to be environmentally preferred. Scientific Certification Systems, a leading third-party provider of certification, auditing and testing services and standards in environmental protection and social responsibility is working along side of us to evaluate our products.

Are all of these products certified as environmentally friendly?

There is no one certifying agency for green products. However, each product has been reviewed for naturally derived and blodegradable ingredients, post-consumer recycled content and energy efficiency. In addition, Bright Green is working to develop consistent environmentally preferable guidelines across the entire product line. Bright Green works with Scientific Certification Systems, a leading third-party provider of certification, auditing and testing services and standards in environmental protection and social responsibility, in our product development and evaluation process.

Back to Top

How do I know the products are 100% green?

There is no such thing as a 109% sustainable or green product. That's because we live in a world of limited resources. With that being said, Bright Green – in the breadth, convenience and affordability of its products — is committed to providing "greener" solutions than what is currently available. Each product has been reviewed for naturally derived and biodegradable ingredients, post-consumer recycled content and energy efficiency by a 3rd party consultant.

Is the packaging recyclable or biodegradable?

All our packaging is recyclable and made from post-consumer waste whenever possible. Most materials do not blodegrade in landfills, therefore we encourage that all packaging please be recycled properly so that it does not end up in a landfill.

Back to Top

How are Bright Green cleaners different from other green cleaners?

Bright Green – is unique in its breadth, convenience and affordability. Bright Green includes more than 20 products that range from household cleaning to kitchen to laundry to paper and lighting products. During the development of Bright Green, products were tested and performed as well as leading green products at a price that is comparable with leading national brands in these categories.

Back to Top

How are Bright Green paper products different from other paper products? Our paper products are made with 100% recycled fiber and process chlorine free. In third-party testing they performed better than the leading Green paper towel in absorbency.

Back to Top

Are the products transported by better-for-the-environmental methods?

Bright Green products are transported by our fleet of more 1,000 trucks using cleaner-burning biodiesel fuel, Safeway Inc. is one of the first major retailers in the United States to convert its entire fleet to biodiesel, helping carbon dioxide emissions by 75 million pounds annually, the equivalent of taking nearly 7,500 passenger vehicles off the road each year.

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Safeway - Bright Green&trade: FAQ

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Watt Replacement Compact Fluorescent Light Bulbs





BRIGHT GREEN"

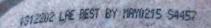
we brew a pot of coffee, wash the laundry, or clean our homes.

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Lighting Facts re are men

PUBLIX V. THE GREAT ATLANTIC & PACIFIC TEA COMPANY Opp. No. 91186148 and Opp. No. 91186863







Compacible with Standard and HE Washers
Directions for both medicional and high efficiency washing machines:
For best cleaning results: Follow garment care tabel or hang tag for washing
instructors. Use dosing out to measure. Fill cap to 1st line for medium loads. Fill
to 10 and the for notify waster usage. Use more for large or heavily soiled loads.
Add clostes to washer: Add clothes to washer AFTER adding detergent to water.
If you use bleach, add it five minutes after the wash cycle begins. To conserve
the strange and minimize washing, always rinus in cold water.
The passage company 66 uses as measured to the 1st line on the cap.

CAUTION: De may never Do not take internally. Fresh Alb: FYES - Flush with water, 10-15 minutes.

TERRALLY - Give targe amounts of water or milk. Call a physician.

TERRALLY - Give targe amounts of water or milk. Call a physician.

TO may nave this container for storing beverages or other liquids.



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6 808009
47843



Dishwasher Gel Detergent Dye Free &

Fragrance-free

Tough on Grease Biodegradable

75 OZ (4.69 LBS) 2.13 kg





Brighten Your World™

Every day we make choices that impact the health of our planet. With this in mind, we've developed Bright Green™—home care products that are safe, highly effective, and gentler on the environment. We can make a difference every time we clean our homes, change a light bulb, or wash the laundry. Together we can contribute to a cleaner, healthier planet.

Brighten Your Home

- Our dishwasher gel is phosphate-free—which means that while it's tough on grease, it's gentler on aquatic life.

formatic dishwasher gel detergent directly into auto dish compartment.

one surfactant, thickener derived from xanthan gum, sodium citrate derived from carbohydrates.

contact with eyes. Do not swallow, KEEP OUT OF REACH OF CHILDREN.
eyes with water for at least 15 minutes. Seek medical attention if irritation persists. If
swallowed, DO NOT INDUCE VOMITING, Drink water and immediately seek medical
attention. Always follow manufacturer recommendations on how to use this product.
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BRIGHT GREEN

Glass & Surface Cleaner

Lemon Scent & Dye Free

Streak Free Biodegradable

32 FL OZ (1 QT) 946 mL







Toilet Bowl Cleaner

Lemon Scent & Dye Free

Removes Rust Stains and Hard Water Build-Up

Biodegradable

24 FL OZ (1.5 PT) 709 mL





F13032B



BRIGHT GREEN **

Brighten Your World ME Every day we make choices that impact the health of our planet, including the products we use to clean our homes, light our rooms or wash our laundry. With this in mind, we've developed a line of highly effective home care products called Bright Green ME. Together we can contribute to a cleaner, and healthier planet.

- Brighten Your Home Cleans without toxic fumes.

 * Made from naturally derived ingradients/surfactants * Biodegradable * Phosphate free * No perceivem solvents * Safe for septic systems * Product not tested on animals * Packaging made from 25% post-consumer waste. Please recycle this container.

Directions: 1. Squeeze and twist nozzle "Open" 2. Point nozzle under the rim of your 5. Stubborn stains may need scrubbing tollet bowl and squeeze gently 3. Spread evenly with your toilet cleaning brush 7. Twist nozzle "Off" for safe storage IL LATTERCO DEPUES FROM MELE SUGARS, MONIONIC SURFACIONT (INTURALLY DENVED), IMTURAL CITRUS OIL

CAUTION: EYE & SICH HERITANT. And control will type and size the results (REPOUT OF REACH OF CHILDREN.

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200 Napkins
1-Ply | 100% Recycled Paper*





200 ONE-PLY NAPKINS • EACH 145 SQ IN (935 cm²) 12.5 IN x 11.6 IN (31.7 cm x 29.5 cm)





Bathroom

2-Ply | 100% Recycled Paper*



6 ROLL \$ 200 SQ m²) TOTAL AREA 300 TWO-PLY SHEETS PEP "OLL " 4.0 IN x 4.0 IN (10.16 cm x 10.16 cm)



With this in mind, we've developed a line of highly effective home care products called Bright Green IN. Together our planet, including the products we use to clean our Every day we make choices that impact the health of we can contribute to a cleaner and healthier planet. homes, light our rooms or wash our laundry. Brighten Your Worldnx

WARNING: TO AVOID DANGER OF INJURY OR SUFFDGATION, KEEP THIS PLASTIC PACKAGING AWAY FROM BABIES AND CHILDREN.
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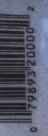
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BRIGHT GREEN"

Paper Towels 2-Ply | 100% Recycled Paper* Super Absorbent

Made with a minimum of 50% post-consumer con





6 ROLLS 279.3 SQ FT (25.9 m²) TOTAL AREA 65 TWO-PLY SHEETS PER ROLL • 11 IN x 9.375 IN (27.9 cm x 23.8 cm)

BRIGHT GREEN

Brighten Your World¹¹⁴

With this in mind, we've developed a line of highly effective our planet, including the products we use to clean our Every day we make choices that impact the health of home care products called Bright GreenTM. Together we can contribute to a cleaner and healthier planet. homes, light our rooms or wash our laundry.

WARNING: TO AVOID DANGER OF INJURY OR SUFFOCATION, KEEP PLASTIC PACKAGING AWAY FROM BABIES AND CHILDREN.

CAUTION: USING PAPER PRODUCTS IMPROPERLY IN A MICROWAVE OR CONVENTION OVER COULD CAUSE THE PAPER TO BURN.

Paper towels are not recommended for use in microwaves, conventional ovens or on stovetops. Follow precautions in microwave off and leave door closed. To reduce possibility of ink transfer while using paper towel, use unprinted side.

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The mark of responsible forestry practices for a sustainable future



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"Thanksgiving Special"



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Prostate	+ Senior Health	▶ Sleep
+ Stress	+ Thyroid	+ Travel Health
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Early school start times and insufficient sleep can contribute to teen obesity depression, and risk-taking.

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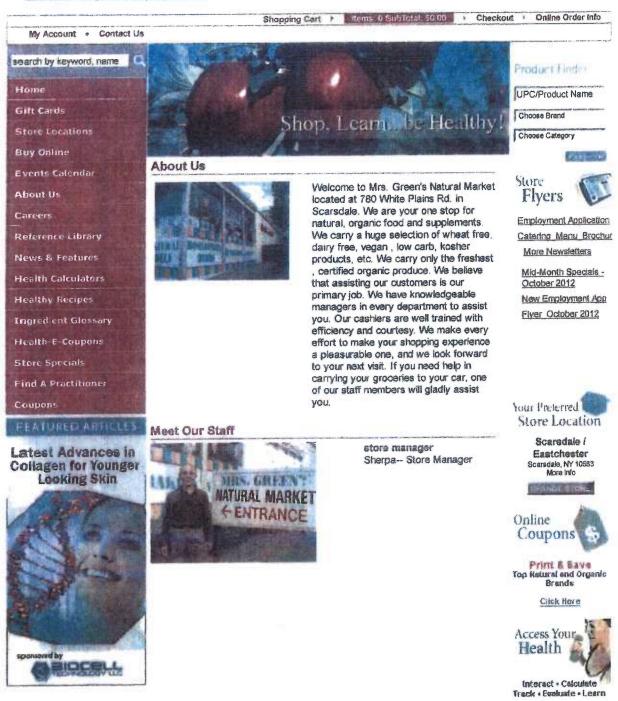
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